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NO. 117 P. 1

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Doc Code: PET.OP

Document Description: Petition for Review by the Office of Petitions

PTO/SB/64 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
40909/DOB/mfc

First named inventor: Federico Nalesto

Application No.: 10/552,730

Art Unit: 1797

Filed: October 11, 2005

Examiner: MELLON, DAVID C

Title: Machine for plasma purification combined with plasma adsorption-perfusion by using a tricompartmental dialyzer

Attention: Office of Petitions  
 Mail Stop Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

## 1. Petition Fee

- Small entity-fee \$ 810 (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.  
 Other than small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

## 2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of reply to Office Action dated March 25, 2009 (identify type of reply):

- has been filed previously on \_\_\_\_\_  
 is enclosed herewith.
- B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_  
 has been paid previously on \_\_\_\_\_  
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

11/30/2009 HMARZI2 00000003 133860 10552730

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PAGE 1/11 \* RCVD AT 11/27/2009 9:53:53 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/15 \* DNIS:2738300 \* CSID: \* DURATION (mm:ss):02:32

PTO/SB/64 (07-08)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

  
 Signature  
 Daniel J. O'Byrne  
 Type or Printed name  
 Via Meravigli, 16  
 Address  
 20123 Milan, Italy  
 Address

November 27, 2009  
 Date  
 36,625  
 Registration Number, If applicable  
 +39 02 85907777  
 Telephone Number

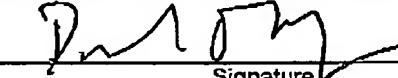
- Enclosures:  Fee Payment  
 Reply  
 Terminal Disclaimer Form  
 Additional sheets containing statements establishing unintentional delay  
 Other: \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-6300.

November 27, 2009  
 Date

  
 Signature  
 Daniel J. O'Byrne  
 Typed or printed name of person signing certificate

Application Number 10/552,730  
In the name of Federico Nalesso  
Art Unit:1797

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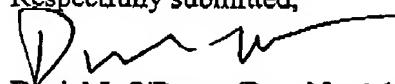
NOV 27 2009

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

**PAYMENT OF THE PETITION FEE (37 CFR 1.17(m))**

The undersigned Agent herewith authorizes the Commissioner of Patents and Trademarks to charge the deposit account number 13-3860 of applicant's agent of record, in the amount of US\$ 810.00 - Fee Code: 2453 to cover the cost of the Petition for Revival, hereby submitted.

Any deficiency, if any, or overpayment should be charged or credited to the above numbered deposit account.

Respectfully submitted,  
  
Daniel J. O'Byrne (Reg. No. 36,625)  
Agent for the Applicant

Date: November 27, 2009  
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